

# **Exhibit “1”**

***[Declaration of Beth Ann Schweiner]***

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANNE FLACCUS,**

**Plaintiff,**

**v.**

**ADVANCED DISPOSAL SERVICES  
SOUTH, LLC,**

**Defendant.**

**CIVIL ACTION  
NO. 2:17-cv-04808-MAK**

**DECLARATION OF BETH ANN SCHWEINER**

I, Beth Ann Schweiner, declare as follows:

1. My name is Beth Ann Schweiner. I reside in Oshkosh, Wisconsin. I am over the age of twenty-one (21) years and am competent to testify to the matters contained herein. I have personal knowledge of the facts contained in this Declaration.

2. I am currently employed by Waste Management National Services, Inc. ("WMNS") as director of digital mergers and acquisitions. I have been employed since 1997.

3. Waste Management, Inc. ("WM") purchased Advanced Disposal Services, Inc. and many ADS entities/affiliates, including the defendants in this case, ("ADS") on or about October 30, 2020.

4. In connection with my employment with WMNS, I managed the team responsible for utilizing TRUX, which is the application that housed customer information, billing, routing, and revenue data for ADS.

5. As part of my employment with WMNS, I oversaw the transfer of the data within ADS's TRUX database to the MAS application, which is our current billing and revenue application. TRUX, however, and all data, information, and records contained within TRUX at the time of WM's purchase of ADS, have been maintained as a standalone TRUX system.

6. Following WM's acquisition of ADS, the TRUX database and the information contained in it were kept and maintained in the course of our regularly conducted business activities.


7. As a result of my significant experience with ADS's TRUX software, I was requested to oversee the work of Samantha Jean Daley, the WMNS employee who reviewed and validated TRUX customer data and revenue information relating to ADS commercial customers in Pennsylvania who, from October 1, 2012 to September 12, 2018, paid one or more of a fuel surcharge, environmental fee, or an administrative fee to ADS, and who did not sign a written contract with ADS that included an arbitration clause and class action waiver.

8. I reviewed and had input into the scripts created and run in TRUX to identify these customers and revenue received from the administrative fee, environmental fee, and fuel surcharge (the "fees") during the relevant time period. Our goal was to be totally accurate and ensure all commercial customers who fit the above description have been identified and all revenue received from their fee payments was properly calculated.

9. Based on my experience with TRUX and employment with WMNS, I confirmed to the best of my knowledge and expertise that the TRUX data reviewed and produced by Samantha Jean Daley is accurate.

I declare, pursuant to 28 U.S.C. § 1746 and under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on February 8th, 2023, in Oshkosh, Wisconsin.

  
Beth Ann Schweiner